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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,024	10/19/2001	Ercan E. Kuruoglu	110915	7124
27074	7590	08/17/2009		
OLIFF & BERRIDGE, PLC. P.O. BOX 320850 ALEXANDRIA, VA 22320-4850			EXAMINER PAULA, CESAR B	
			ART UNIT 2178	PAPER NUMBER
			NOTIFICATION DATE 08/17/2009	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OfficeAction27074@oliff.com
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Office Action Summary

Application No.

09/982,024

Applicant(s)

KURUOGLU ET AL.

Examiner

CESAR B. PAULA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-10 and 12-20 is/are rejected.
- 7) ☒ Claim(s) 4, 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/88)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This action is responsive to the amendment filed on 5/18/2009.

This action is made Final.

2. In the amendment, claims 1-20 are pending in the case. Claims 1, and 8 are independent claims.
3. The rejections of claims 1-3, 5, 8-12, and 17-20 rejected under 35 U.S.C. 102(e) as being anticipated by Hull et al (Pat.# 6,671,684, 12/2003, filed on 9/1/2000), have been withdrawn as necessitated by the amendment.
4. The rejections of claims 6 and 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Hull, have been withdrawn as necessitated by the amendment.
5. The rejections of claims 7, and 15-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Hull, in view of Bornstein et al, hereinafter Bornstein (Pat. # 6,751,779 B1, 6/15/04, filed on 3/20/2000), have been withdrawn as necessitated by the amendment.
6. The rejection of claim 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Hull, in view of Kupiec (Pat. # 6,533,822 B2, 3/18/03, filed on 1/30/98, as disclosed in pto-892 mailed on 8/25/04), has been withdrawn as necessitated by the amendment.

Drawings

7. The drawings filed on 10/19/2001 have been approved by the examiner.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-3, 5-6, 8-13, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hull et al (Pat.# 6,671,684, 12/2003, filed on 9/1/2000), in view of Houvener et al (USPat. # 6397194 B1, 5/28/2002, filed on 6/1999).

Regarding independent claim 1, Hull discloses capturing or scanning highlighting annotations made on a document containing printed text—*capturing an original image of a document*. The annotations cause the annotated portion to be OCR'd, and the resulting text is stored in a repository for further use --*a processing device for detecting annotations made to the document prior to image capture, the annotations identifying lesser portions of text to be extracted from machine generated text of the original image of the document, the processing device determining the lesser portions of text of the*

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document identified by the annotations to be extracted, and extracting only the lesser portions of text from the machine generated text from of the original image of the document, being identified by the detected annotations; a summary generator for generating a summary including only the extracted lesser portions of text from the machine generated text of the document. the summary condensed version of the machine generated text of the original image of the document and being generated as a separate electronic image document that is different from the original image-- (col. 6, lines 1-36).

Hull fails to explicitly teach *an image output device coupled to the summary generator and that outputs the summary for review by a user, the image output device being one of a display screen and a printer.* However, Houvener teaches a display device for displaying of a scanned in document image (col.8, lines 31-43, col.9, lines 58-64, col.3, lines 48-50). It would have been obvious to one of ordinary skill in the art to combine the teachings of Hull, and Houvener, because of all the reasons found in Houvener including a quick, easy, and inexpensive method of retaining, and retrieving scanned in paper receipt documents (col.3, lines 1-50), thus allowing for the quick and efficient review of the documents being scanned, and for ascertaining that the desired information would be scanned in.

Regarding claim 2, which depends on claim 1, Hull discloses capturing or scanning highlighting annotations made on a document containing printed text. The annotations cause the annotated portion to be OCR'd, and the resulting text is stored in a repository for further use (col. 6, lines 1-36)-- *generate a summary of the same document as that on which the annotations are detected.*

Regarding claim 3, which depends on claim 1, Hull teaches capturing or scanning highlighting annotations made on a document containing printed text. The annotations are used for retrieving a list of documents that contain the highlights, along with locations where the annotations occurred in those documents (col. 4, lines 9-29) —*generate a summary of a different document as that on which the annotations are detected.*

Regarding claim 5, which depends on claim 1, Hull discloses capturing or scanning highlighting annotations made on portions of a document containing printed text(col. 6, lines 1-36, Fig.4)—*image region associated with a detected annotation.*

Regarding claim 6, which depends on claim 5, Hull discloses capturing or scanning highlighting annotations made on portions of a document containing printed text(col. 6, lines 1-36, Fig.4)—*image region associated with a detected annotation, the image region represents a text portion in the document image to provide context for the identified annotation.* Hull fails to explicitly disclose: *the image region represents a sentence.* However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to capture an annotation image that represents a complete sentence of text, because of all the reasons found in Hull, including effective ways of accessing an electronic version of a document (col. 1, lines 53-57). This would provide the user with not just incomplete words, but also full sentences as desired and highlighted by the user.

Claims 8-10, and 12 are directed towards a method for implementing the system found in claims 1-3, and 5 respectively, and therefore are similarly rejected.

Claim 13 is directed towards a method for implementing the system found in claim 6, and therefore is similarly rejected.

Regarding claim 17, which depends on claim 1, Hull teaches capturing or scanning highlighting annotations made on a document containing printed text. The annotations are used for retrieving a list of documents that contain the highlights, along with locations where the annotations occurred in those documents (col. 4, lines 9-29) — *extracting image maps of the original image of the document.*

Claim 18 is directed towards a method for implementing the steps found in claim 8, and therefore is similarly rejected.

Regarding claim 19, which depends on claim 1, Hull teaches capturing or scanning highlighting annotations made on a document containing printed text. The annotations are used for retrieving a list of documents that contain the highlights, along with locations where the annotations occurred in those documents (col. 4, lines 9-29)— *the summary includes at least one of a pointer and address indicating a place in the original image of the document from which the extracted portions are extracted.*

Claim 20 is directed towards a method for implementing the apparatus found in claim 19, and therefore is similarly rejected.

10. Claims 7, and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hull, in view of Bornstein et al, hereinafter Bornstein (Pat. # 6,751,779 B1, 6/15/04, filed on 3/20/2000).

Regarding claim 7, which depends on claim 1, Hull discloses capturing or scanning highlighting annotations made on portions of a document containing printed text(col. 6, lines 1-36, Fig.4). Hull fails to explicitly disclose: *a summary comprising portions which are selectively expandable to increase the information in that portion of the summary*. However, Bornstein teaches the increasing the sentences in a summary based upon the selection of a user-variable control (col.3, lines 16-40, col.4, lines 19-67, fig.3, 2). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combined Hull, and Bornstein, because of all the reasons found in Bornstein, including allowing a user to rapidly review a document based on the level of interest on such document (col. 2, lines 17-30).

Regarding claim 15, which depends on claim 1, Hull discloses capturing or scanning highlighting annotations made on portions of a document containing printed text(col. 6, lines 1-36, Fig.4). Hull fails to explicitly disclose: *the summary includes expandable detail levels*. However, Bornstein teaches the increasing the sentences in a

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summary based upon the selection of a user-variable control (col.3, lines 16-40, col.4, lines 19-67, fig.3, 2). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combined Hull, and Bornstein, because of all the reasons found in Bornstein, including allowing a user to rapidly review a document based on the level of interest on such document (col. 2, lines 17-30).

Claim 16 is directed towards a method for implementing the apparatus found in claim 15, and therefore is similarly rejected.

11. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hull, in view of Kupiec (Pat. # 6,533,822 B2, 3/18/03, filed on 1/30/98, as disclosed in pto-892 mailed on 8/25/04).

Claim 14 is directed towards a method for implementing the system found in claim 7, except that Hull fails to explicitly disclose *hidden portions, which are selectively expandable*. However, Kupiec teaches the generation of a summary along with indicators that indicate and display the location where extracted text was originally located (col.1, lines 26-67, fig.4). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hull, and Kupiec, because of all the reasons found in Kupiec, including avoiding the scanning of the whole document to find parts of the document that corresponding to portions of the summary (col.1, lines 14-67), and therefore is similarly rejected.

Allowable Subject Matter

12. Claims 4, and 11 remain objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

13. Applicant's arguments filed 5/18/2009 have been fully considered but they are not persuasive. Regarding the pending claims, Applicants submit that Hull does not disclose a summary generator for generating a summary (page 7, para.1). The Examiner disagrees, because Hull discloses that the captured annotations cause the annotated portion to be OCR'd, and the resulting text—summary-- is stored in a repository for further use (col. 6, lines 1-36).

14. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection. The Applicant indicates that Hull does not teach the outputting of the highlighted text via a screen or a printer (page 7, para.2). The Applicants are directed towards the rejection of these claims above in light of the newly found prior art, and the allowable subject matter.

The remaining claims are rejected at least based on the rationale put forth above, and the new rejections as necessitated by the amendment.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

- I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ballard (Pat. # US 6032137 A).
- II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

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Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 or 571 272-1000 (USA or Canada).

Any response to this Action should be mailed to:
Commissioner for Patents
P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

- **(571)-273-8300** (for **all** Formal communications intended for entry)

/CESAR B PAULA/ Primary Examiner, Art Unit 2178

8/13/2009